



Linda S. Adams  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Central Valley Region

Karl E. Longley, ScD, PE, Chair

### Fresno Branch Office

1685 E Street, Fresno, California 93706  
(559) 445-5116 • Fax (559) 445-5910  
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Arnold  
Schwarzenegger  
Governor

15 June 2007

Mr. Steve King  
SK Foods  
PO Box 160  
Lemoore, CA, 93245

### DRAFT NEGATIVE DECLARATION FOR WASTE DISCHARGE REQUIREMENTS, SK FOODS TOMATO PROCESSING FACILITY, LEMOORE, KINGS COUNTY

Enclosed is a staff memorandum regarding three comment letters received on the Initial Study and Draft Negative Declaration circulated by the Regional Water Board for the proposed discharge of tomato processing wastewater from SK Foods to approximately 2,600 acres of farmland near Lemoore in Kings County. As described in the staff memorandum, Regional Water Board staff researched each issue and addressed all comments.

The *Draft Negative Declaration* will be placed on the uncontested agenda for consideration at the August 2007 Regional Water Board meeting.

Should you have any questions regarding this matter, please contact Mr. Jeff Pyle at (559) 445-5145.

DOUGLAS K. PATTESON  
Senior Engineer  
RCE No. 55985

Enclosure: 15 June 2007 Staff Memorandum

cc: Ms. Tricia Wathen, Department of Health Services, Office of Drinking Water, Fresno  
Mr. Christopher Huitt, Department of Water Resources, Floodway Protection Section, Sacramento  
Mr. Paul-Albert Marquez, Department of Transportation, Central Planning Region, Fresno  
Mr. Ron Crites, Brown and Caldwell, Rancho Cordova  
Mr. Graig Wagner, Provost and Pritchard, Fresno



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TO: Doug Patteson  
Senior Engineer  
RCE No. 55985

FROM: Jeff Pyle  
Engineering Geologist  
PG 7375

DATE: 15 June 2007

SIGNATURE: 

SUBJECT: **SK FOODS, TOMATO PROCESSING FACILITY, LEMOORE, KINGS COUNTY**

The Regional Water Board circulated an Initial Study and Draft Negative Declaration (State Clearinghouse No. 200705051030) for the proposed discharge of tomato processing wastewater from SK Foods to approximately 2,600 acres of farmland near Lemoore in Kings County. The 30-day comment period assigned by the State Clearinghouse ended on 4 June 2007. The Regional Water Board also mailed and posted local notifications, for which the public comment period ended on 11 June 2007. Comment letters were received from the Department of Health Services (DHS), the Department of Water Resources (DWR), and the Department of Transportation (Caltrans). Below are summaries of the comments, followed by my responses based on discussions with SK Foods and its consultants.

DHS provided editorial comments and did not contest the proposed project. I reviewed the comments and edited the Draft Negative Declaration where applicable.

DWR provided comments in a 9 May 2007 letter regarding the potential for the project to encroach upon the State Adopted Plan of Flood Control. The Kings River is about one-half to one mile east of the proposed disposal area. I contacted Mr. Christopher Huitt of DWR and he directed me to a website where I viewed maps showing the encroachment lines for the Kings River. Designated Kings River Floodway Map Numbers K75, K76, and K77 illustrate that the proposed project is not within the encroachment zones. Therefore, an encroachment permit from DWR is not required.

Caltrans provided comments in a 25 May 2007 letter regarding the possibility of increased traffic and the need for an encroachment permit should the project involve work within the right-of-way for State Highway 41. Because the proposed project does not involve an increase in processing or production, it will not generate increased traffic. Since the first phase of the project will utilize an existing lateral that crosses Highway 41 near Jackson Avenue, an encroachment permit from Caltrans is not required. An encroachment permit will be obtained for any future phases that require work within the State right-of-way.

Based on the above, all comments have been addressed and the Draft Negative Declaration can be placed on the uncontested agenda for consideration at the August 2007 Regional Water Board meeting.